

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
)
v.) CASE NO. 2:05CR171-T
)
CALVIN ARTIS STEWART, JR.)

ORDER

Following the defendant's filing of a Motion to Suppress Statement on 20 October 2005 (Doc. # 19), the government filed its response on 27 October 2005 (Doc. # 22). The court has reviewed the motion and the response and concludes that an evidentiary hearing is required. Accordingly, it is ORDERED as follows:

1. The parties and their counsel shall appear for an evidentiary hearing on 22 November 2005 at 2:00 p.m. in Courtroom 5A, Frank M. Johnson, Jr. United States Courthouse Complex, One Church Street, Montgomery, Alabama.
2. The defendant's motion focuses upon the questioning by officers after he allegedly requested an attorney and the presence of his mother.
3. The motion seeks suppression of only the defendant's statements on 18 March 2005.

DONE this 8th day of November, 2005.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE